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7 Attorneys for Defendant
ALLSTATE NORTHBROOK INDEMNITY COMPANY
8 erroneously sued as Allstate Indemnity Company

9 UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA
11 SACRAMENTO DIVISION
12

13 JAMES GLORIA,
14 Plaintiff,
15 v.

16 ALLSTATE INDEMNITY COMPANY,
17 a business entity; and DOES 1 through 50,
18 inclusive,
19 Defendants.

Case No. 2:22-cv-01126-WBS-CKD

**STIPULATION TO MODIFY BRIEFING
SCHEDULE RE OF CROSS-MOTIONS
FOR SUMMARY JUDGMENT; ORDER**

Hon. William B. Shubb
Courtroom 5, 14th Floor

Magistrate Judge Carolyn K. Delaney
Courtroom 24, 8th Floor

1 This stipulation is hereby entered into by and between plaintiff James Gloria and defendant
2 Allstate Northbrook Indemnity Company, by and through their respective counsel.

3 Whereas, the parties have met and conferred regarding the filing of cross-motions for
4 summary judgment and agree that such motions would be appropriate in this case;

5 Whereas, plaintiff has expressed a need to depose Allstate's person most knowledgeable
6 before filing his summary judgment motion and before opposing Allstate's summary judgment
7 motion;

8 Whereas, the parties are in the process of scheduling the deposition of Allstate's person
9 most knowledgeable and anticipate that the deposition will take place on a mutually convenient
10 date in June or July 2024;

11 Whereas, the current filing deadline for the parties' cross-motions for summary judgment
12 is May 24, 2024;

13 Whereas, the current filing deadline for the parties' oppositions to cross-motions for
14 summary judgment is June 14, 2024;

15 Whereas, the current filing deadline for the parties' reply briefs in support of their cross-
16 motions for summary judgment is June 28, 2024;

17 Whereas, the current hearing date for the parties' cross-motions for summary judgment is
18 July 8, 2024 at 1:30 p.m.;

19 Whereas, the parties have met and conferred and agree that the foregoing briefing schedule
20 should be modified to allow additional time to conduct the discovery needed to file cross-motions
21 for summary judgment and also so that any remaining discovery (including expert discovery) can
22 be deferred until after the Court rules on the parties' cross-motions;

23 Therefore, subject to the Court's approval, the Parties, by and through their respective
24 attorneys of record, hereby stipulate to modify the briefing schedule for the parties' cross-motions
25 for summary judgment, as proposed below:

26 1. The parties' cross-motions for summary judgment shall be filed on or before
27 August 7, 2024;

28

2. Any opposition to the parties' cross-motions for summary judgment shall be filed on or before September 4, 2024;

3. Any reply brief in support of the parties' cross-motions for summary judgment shall be filed on or before September 17, 2024;

4. The hearing date for the parties' cross-motions for summary judgment shall be scheduled for September 30, 2024 at 1:30 p.m.; and

5. Other than the foregoing proposed modifications, the Court's most recent scheduling order will remain unchanged.

IT IS SO STIPULATED.¹

Dated: May 23, 2024

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

By

/s/ Joseph E. Foss

JOSEPH E. FOSS

Attorneys for Defendant

Allstate Northbrook Indemnity Company

Dated: May 23, 2024

By

/s/ Jonathan Amir Durham

JONATHAN AMIR DURHAM

Attorneys for Plaintiff

James Gloria

¹ The filer certifies that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

ORDER

Having considered the Stipulation and for good cause shown, IT IS HEREBY ORDERED that the briefing schedule on cross-motions for summary judgment be modified as follows:

1. The parties' cross-motions for summary judgment shall be filed on or before **August 7, 2024**;

2. Any opposition to the parties' cross-motions for summary judgment shall be filed on or before **September 4, 2024**;


3. Any reply brief in support of the parties' cross-motions for summary judgment shall be filed on or before **September 17, 2024**;

4. The hearing date for the parties' cross-motions for summary judgment shall be scheduled for **September 30, 2024 at 1:30 p.m.**; and

5. Other than the foregoing proposed modifications, the Court's most recent scheduling order will remain unchanged.

IT IS SO ORDERED.

Dated: May 23, 2024


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE